

IN THE CLAIMS:

Please amend the claims as follows:

1. (Withdrawn) A method for diagnosing cancer by measuring DNA-dependent protein kinase activity in cells derived from a test subject.
2. (Withdrawn) A method for diagnosing cancer, the method comprising the steps of:
 - measuring DNA-dependent protein kinase activity in cells derived from a test subject;
 - measuring DNA-dependent protein kinase activity in cells derived from a healthy subject; and
 - comparing the DNA-dependent protein kinase activity in cells derived from the test subject and the DNA-dependent protein kinase activity in cells derived from the healthy subject.
3. (Withdrawn) The method for diagnosing cancer according to claim 1 or 2, wherein the cells are lymphoid cells.
4. (Withdrawn) A cancer diagnosis kit for diagnosing cancer by the method for diagnosing cancer according to any one of claims 1 to 3.
5. (Withdrawn) The cancer diagnosis kit for diagnosing cancer by the method for diagnosing cancer according to any one of claims 1 to 3, the kit comprising a peptide substrate which is phosphorylated by DNA-dependent protein kinase.
6. (Canceled)

7. (Previously presented) A method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer, the method comprising the steps of:
 - measuring DNA-dependent protein kinase activity in cells derived from a test subject, wherein the measuring comprises detecting the radioactivity of a peptide substrate phosphorylated by the DNA-dependent protein kinase activity of the cells in the presence of a radiolabeled phosphate compound;
 - measuring DNA-dependent protein kinase activity in cells derived from a healthy subject, wherein the measuring comprises detecting the radioactivity of a peptide substrate phosphorylated by the DNA-dependent protein kinase activity of the cells in the presence of a radiolabeled phosphate compound;
 - comparing the DNA-dependent protein kinase activity in cells derived from the test subject and the DNA-dependent protein kinase activity in cells derived from the healthy subject, and
 - determining whether the test subject has an increased likelihood of developing cancer based upon the comparison of the DNA-dependent protein kinase activity of the test subject with the healthy subject, wherein a lower DNA-dependent protein kinase activity for the test subject indicates an increased likelihood of developing cancer, and wherein the cancer is selected from the group consisting of breast cancer and uterine cancer.
8. (Currently amended) The method for determining cancer susceptibility according to claim [[6 or]] 7, wherein the cells are lymphoid cells.
9. (Withdrawn) A cancer susceptibility determination kit for determining cancer susceptibility by the method for determining cancer susceptibility according to any one of claims 6 to 8.

10. (Withdrawn) The cancer susceptibility determination kit for diagnosing cancer by the method for diagnosing cancer susceptibility according to any one of claims 6 to 9, the kit comprising a peptide substrate which is phosphorylated by DNA-dependent protein kinase.
11. (Previously presented) A method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer, comprising:
 - measuring DNA-dependent protein kinase activity in cells derived from a test subject, wherein the measuring comprises detecting the radioactivity of a peptide substrate phosphorylated by the DNA-dependent protein kinase activity of the cells in the presence of a radiolabeled phosphate compound; and
 - determining susceptibility of the test subject to cancer based upon the measured DNA-dependent protein kinase activity, wherein the cancer is selected from the group consisting of breast cancer and uterine cancer.

Please add the following new claims:

12. (New) The method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer according to claim 7, wherein the subject is a human.
13. (New) The method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer according to claim 11, wherein the subject is a human.
14. (New) The method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer according to claim 7, wherein the cancer is breast cancer.

Application Serial No.: 10/559,311

15. (New) The method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer according to claim 11, wherein the cancer is breast cancer.
16. (New) The method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer according to claim 7, wherein the cancer is uterine cancer.
17. (New) The method for assessing a subject's susceptibility to cancer to determine if the subject is prone to cancer according to claim 11, wherein the cancer is uterine cancer.